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IN THE "NEW DOWNTOWN"

Where will they go?

Who Will It Serve?

Mellon Art Gallery

by Harriet Johnson

The Mellon Center is a by-product of the worst aspects of our socio-economic system. It is a tragedy for both the Yale community and the New Haven community. A multi-millionaire Alumnus "gives" his 18th century British Art Collection to Yale University and Yale becomes a center for British Studies whether or not Yale students and faculty think it is a priority study area.

For the New Haven community a once thriving street that catered to a varied clientele is wiped out; a square block of prime real estate is stricken from the city's tax rolls at a time when non-taxable property is becoming a larger and larger percent of the total Grand List. And who made the decisions for the Yale students and the people of New Haven?—Paul Mellon, scion of the wealthiest family in America; Kingman Brewster, president of Yale which educates this country's ruling elite; and Mayor Richard C. Lee who is transforming New Haven into a city for the same people that Yale enrolls.

Under this country's capitalist system, those with the resources (wealth) make the political and economic decisions that affect us most directly. The Mellon wealth is enormous. It follows then that Mellons will be key decision-makers. Andrew Mellon, for example, was Secretary of the Treasury under Presidents Harding, Coolidge and Hoover. And the mere whim of his son Paul to collect 18th century British Art means Yale becomes a center for British Studies and New Haven its physical home.

Paul Mellon's interest in British painting of this period stems from his personal love of horses and fox hunts, both upper class delights. The paintings he chose to collect record the life sytles of the British landed aristocracy of the 18th and 19th century which will be made "available" to Yale students and New Haven residents for close scrutiny. This is incredible at a time when black and white Americans are searching to rediscover their roots in this country's history. Part of this search must be a redefinition of art to reflect the lives of people with little or no leisure time. Community buildings and centers should be the place for this new art.

The British Empire is near death—but Paul Mellon would like to keep its myths intact, in a special isolated center for the cultural elite. We don't need museums or study centers to glorify the British Aristocracy. And we certainly shouldn't have them because a rich, nostalgic Yale alumnus has cash and canvases to spare.

A Slice of Mellon

The Mellon fortune accumulated because of the access that the original Mellon had to other people's capital. Judge Thomas Mellon was a banker in nineteenth century Pittsburgh. Early in life he decided that he would raise a family of millionaire businessmen and every act he performed was calculated to achieve this goal.

As a banker he was able to use depositor's funds to purchase valuable real estate and stocks, as well as offering these funds to others for their use. The Judge died in 1908 and left control of the bank to his sons.

By the 1930's nearly every big enterprise in Pittsburgh was financed by the Mellons in return for mortgages which covered all their property. Holding mortgages gave the Mellon bank the legal right to foreclose on many properties thereby acquiring them without having to purchase them. Substantial interests in oil and coal, aluminum and abrasives are the visible bulk of the Mellon wealth. The most impressive Mellon holdings are in Gulf Oil (25% of outstanding stock), Alcoa (30%), The Koppers Company (20%) Corborundum, Inc. (20%), and the General Reinsurance Corporation (20%).

The total value of stock held in these seven corporations is estimated to be $2.8 billion dollars, the latter three being large investment corporations with holdings spread over a wide range of other firms. (It will never be possible to calculate the true value of the Mellon fortune since the existing laws only require the disclosure of private shares if the equity owner holds more than 10% of the outstanding shares of the corporation, or if he becomes a director or officer of a publicly owned corporation. The estimate of $2.8 billion is therefore, conservative at best.)

Mellon and Yale

The Mellon Center is not the first "gift" that Paul Mellon has made to Yale. In 1958 he gave $15 million for the building of Morse and Stiles Colleges and for the development of educational programs. He also gave a large sum to finance a feasibility study for a computerized catalogue and retrieval system for Yale's Sterling Library. In 1966 he gave $465,000 for the purchase of the Boswell papers and the research and editorial work related to them. All of these "gifts" were distributed by Mellon's philanthropic foundations.

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In the U.S., philanthropic activity is encouraged by the set of laws which allow tax deductions for "gifts" to institutions such as Yale. A donor reaps significant tax benefits in giving either real property or monetary gifts. It is estimated, for example, that in 1957, $5 billion escaped the federal and state treasuries because of income tax deductions and gift tax exemptions for contributions to a government for public purposes or to a charitable, religious, scientific, literary or educational institution. The concept—"it is more rewarding to give than to sell" is not normally the capitalists' working principle. However, the tax laws sometimes make this so, especially in the case of art donations, which often bring a larger profit when donated than if sold on the market. It is clear that Paul Mellon will save a great deal of money by "giving" his art collection to Yale.

In addition there is evidence to suggest that the gift to Yale was speeded up in order for Mellon to take advantage of the tax laws. Yale had to acquire the land for the Center before a certain date, probably December 15, 1966. The land was quickly purchased in late November and early December in secret. The announcement of the Mellon Center actually took place on December 7 after the site was assembled and in Yale's possession. By pressure and steamrolling Yale avoided any delays which could have resulted from the property owners' objections. Had they been aware that Mellon was behind the scenes, they could have asked for and probably gotten a higher price. One obvious explanation of the great rush and hush-hush is that Mellon wanted to report his "gift" on his 1966 tax forms.

A Piece of New Haven

The Mellon Center is not the first jointly announced venture of Yale and the City of New Haven. Brewster and Lee were together on the Ring Road, testifying in secret two years ago in Hartford for this plan. Now that fact is no longer secret and everyone is aware that both Lee and Brewster asked that the Ring Road be sunken underground so as not to disturb the Yale Campus, whereas the other legs of the plan were carefully designed to isolate Yale from the black people in Dixwell, Dwight, and the Hill.

In fact, it is becoming less and less of a secret that almost all redevelopment in New Haven is supported and encouraged by Yale. The city's physical renewal is seen as an improvement of Yale's image—an important fetish of Old Blues. (Yale helped get Macy's to New Haven through Averill Harriman who sits on the Board of Trustees of both the Yale and R.H. Macy Corporations. Yale helped bail out Roger Stevens, developer of Chapel Square-Park Plaza, when he was about to lose his button-down shirt.)

The city's highway and renewal programs have consistently replaced a low income housing supply with middle and high income housing; substituted fancy, elegant shops, department stores and hotel-office complexes for stores which once sold merchandise for lower income people, at prices they could afford. The new-New Haven is fast becoming a faceless city of non-taxable highway interchanges, parking garages and Yale properties, Macy's, high-rise-high-income housing and an assortment of Roach—Dinkaloo monuments to serve the amusement of the people who use the highways, shop in the stores and live in the towers. In one sense Mellon's Center will only add to this "facelifting" which began with Oak Street and will not stop with Route 34.

Worth Dollars of Credit

Lee has still another motive for welcoming the Mellon Center. He probably sees the Mellon Center as more dough in the city's credit coffers. Just as the City got two new high schools after Yale built Morse and Stiles Colleges, so too does the city hope to get cash credits from the Mellon Center. Section 310 of the National Housing Act provides that the acquisition, relocation and demolition costs expended by a hospital or university for physical improvement, shall count toward the city's non-cash contribution in a renewal project area.

Instead of always paying out cash for renewal the city can substitute public buildings improvements such as—educational institutions, sewers, libraries, etc. The City has gerrymandered the Dwight Renewal Project Boundaries to include

VIRELAY TO THE ILLIBERAL ARTS

by Alan McKnight

"What revolutions have destroyed in art
And monument,"
Said Delacroix, "when itemized would start
The most content!"
If you, like him, would win the warrior's heart,
Wars represent,
And war will spare your work if you impart
Sweet glory's scent.

Then art's conservative and would prevent
The desperate leaps
The people take in their development;
Art joins the heaps
Of riches the exploiter by expedient
Enslaving reaps,
And like the rest is judged anent intent
By where it sleeps.

Or is art so corrupt our judgement threaps
Instead the smart
Who keep its company? No artist weeps
To see the mart
Inflate his price beyond the reach of sweeps,
But like a tart,
Entreats the state, that slaves and cripples keeps,
To take his part.

the Mellon block. Presently they are awaiting approval from the federal government for boundary amendments. The move to include this block is an insult to the people of the Dwight area. There is nothing wrong with the stores or dwellings on the Mellon site and it shouldn't qualify as a delapidated area. Yet the city wants to tear down perfectly good structures to make way for the Mellon Deal. It is truly pathetic when a city will sanction the displacing of people from 80 apartments and 20 small businesses for the whim of a big-time millionaire who wants to display his upper-class tastes.

But why blame Mellon for only adding another monolithic structure to the New Haven skyline? Why blame him for the cozy relationship between Yale and official New Haven? Paul Mellon's venture, per se, will not break the people's back, but his family's millions have raped other cities, whole states and countries abroad and there's no reason to expect that he'll be at all sensitive to community needs when it comes to building a Mellon monument in New Haven. So let's not accept the Mellon Center as an altruistic gift—the Brewster-Lee-New York Times line. We've seen how beneficial the "gift" is to the giver. But there is little substance to the Mellon family's philanthropic pose. The family's interests in Gulf Oil, Alcoa, Koppers Co., Corborundum, Inc., Mellon Nation Bank, to name a few of the big ones, do not stack up as "humanitarian" investments. While token deliberations about the Mellon site continue comfortably, thousands of coal miners in Mellon mines are dying of starvation and Black Lung.

Some Yale architecture students have proposed mixed uses of the Mellon site. But that issue is a phony one. We know from experience in New Haven and elsewhere that the kinds of stores and establishments that are now on the block will never be able to afford the new rents that such a new development would charge. Small businesses have never been successfully relocated especially not back onto their former site. If Mellon and Brewster would even allow mixed uses it will be for Airline Ticket Offices and Gourmet Food Shops similar to the specific uses the City Redevelopment Agency says they will allow underneath the State Street Garage.

Money for the Few

Control over vast amounts of capital and the lives of countless people are the rewards of the capitalist system. Access to these rewards is most often the province of small groups of people who are usually related by blood ties or intermarriage. The present political system works to maintain the interests of those who control the wealth and therefore the power.

The Mellons are the richest family in America and everything they do is an attempt to maintain themselves as such. Paul Mellon's brother Richard K. has singlehandedly devastated center city Pittsburgh and built himself physical surroundings to match his economic empire.

The least we here in New Haven can do is to demand that Paul's foray into our community be controlled at all points by those people who will be most directly affected by his plans. This means the small businessmen now left on the site and the ones already gone; the residents living above the stores and on High and Crown Streets; the people of the nearby Dwight and Yale communities and ultimately the people of the entire New Haven community. Controlling the New Haven venture may mean demanding that Mellon replace all the housing and small businesses his Center will destroy. In the end it may come to mean demanding he take his goodies elsewhere.

David P. Watson contributed material to this article.

UP AGAINST THE COLISEUM

AIM opposed the original plans for the Coliseum as an insult to the people of New Haven who need housing, schools, and other community facilities before an old-style Roman hippodrome. But there was no way for the people of New Haven to voice their protest against squandering of their tax monies on a giant sport-convention arena.

The Board of Alderman spent many stormy months considering the Coliseum and finally voted for it—but put a ceiling of $19.5 million to "protect the taxpayer". But as expected, the over-glorified Roche-Dinkeloo design could not possibly be constructed for the $19.5 million price. Contractors submitted bids but all were over the specified amount. So Dick Lee, in an effort to save his Coliseum, maneuvered to drop the exhibition hall from the plan.

Alderman Nicholas DeCilla, who opposed the original plans, has filed an injunction against the city and Coliseum Authority. This taxpayers' suit will contest the manner in which construction was bonded. DeCilla claims that the Board of Alderman acted illegally when they approved the altered project and re-bid, without another public hearing considering the alteration and the fixed ceiling.

There is now a slim hope that plans for the Coliseum will be abandoned for awhile, or at least considerably changed in terms of cost to us taxpayers.

Hats off to Alderman DeCilla for making a last ditch effort to ditch the Coliseum.

Send him notes of support.

PEOPLE'S ALMANAC

May 1—MAYDAY! A day of international solidarity among working class people.

May 3, 1968—Occupation of the Sorbonne by French students; the revolt begins.

May 4, 1886—The Haymarket Affair in Chicago.

May 4, 1961—Freedom Rides begin in the South.

May 5, 1818—Karl Marx born.

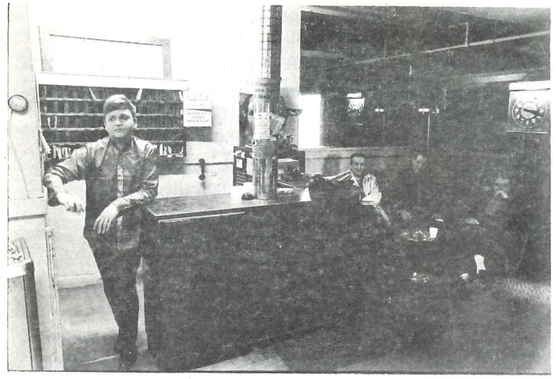
May 7, 1936—Uprising of Barcelona workers in Spain.

May 9, 1800—John Brown, who was to lead armed revolt against United States, born.

May 10, 1968—Barricades go up in Paris Latin Quarter as revolt spreads.

May 11, 1874—Pullman strike begins.

This week's calendar was compiled from the Anarchist Revolutionary Calendar, published by the Solidarity Bookshop in Chicago. Our LNS Almanac arrived past our deadline.



The Strand Community

by Art Fleischner and Liz Rose

Tucked neatly in the shadow of New Haven's City Hall, between a novelty shop and a fur store, is the Strand Hotel. This five-story, 100-year old structure is home for over 50 people who are determined to remain together despite the Redevelopment Agency's demolition plans. The police station wing of the mammoth Government Center will eventually occupy the Hotel site. Meanwhile, no design has been made public since the first architect's plan was dropped. On March 11 of this year, the Agency sent a letter to Mr. Carl Reichbart, owner of the fur store and landlord of the Hotel. The letter stated that all residents had to be out by May 1, 1969, although the lease on the building doesn't expire until 1971. It would, of course, be easy for the city to find ways to break the lease.

The exterior of the Strand Hotel gives no hint of the life inside. There is a communal spirit that the residents thrive on. This spirit moved them to act on their eviction notice. A committee was formed among them to work toward saving their community and an eloquent petition drawn up by Mr. John Donovan, one of the founders of the Police Athletic League, a three-year resident to the Strand. Fifty-four people signed to insist they be given decent housing *together* if their present home was to be destroyed. "We are willing to move if the city will build another structure for us—one that will hold elderly people and be in the downtown area," said Mr. Donovan.

Some of the hotel residents, who shop on State Street, had signed the "Save Our Stores" petition (see **Aim Newsletter**, Nov. 25, 1967) and attended the public hearing on the State Street Project, which includes the Government Center. AIM's opposition to this was known to them, so two representatives of the Strand's committee brought a copy of their petition to the AIM office. Subsequent visits and conversation led to a better acquaintance with the unique way of life at the Strand. Many of the residents are widows or widowers of retirement age or older. About half of the residents work, some full and others part time. Most of them have jobs in the downtown area and walk to work. Living downtown also makes the stores convenient. Shopping ease and saving money by not having to take a bus or taxi are important to them, so staying in the downtown area is crucial. It is still difficult to find places to shop as more and more small stores are torn down and replaced, if at all, with fancy plazas. Lou's Novelty, located downstairs from the Hotel, has served the people of the area for many years, twelve under its present owners. The May 1 deadline also applies there, so it may soon be forced out of business.

Life at the Strand

Almost all the Strand residents are permanent. The only major change to the Hotel has been the addition of baths to the rooms. While most of the rooms are small, they are usually adequate for the people there. When a reporter from the New Haven **Register**, covering the story of their petition, called the Strand "dark and dingy", people at the hotel were upset. By focusing on superficial appearances, the **Register** reporter in this case played into the standard Redevelopment procedure of labeling what they wish to demolish a "blighting influence." "It's not the most beautiful hotel in the world," said Mr. Harold G. Cornwall, a lifetime resident of New Haven, "but we like it and we're satisfied. So why does the city come and tell us it would be better if we moved?" Most rooms contain a large bed, mirror, cabinets, and a closet. Many of the rooms have been fixed up with personal momentoes. Almost all the people have a radio and many have televisions. Books and magazines are evident in every room.

Many of the residents, black and white, nave lived in several different places, including moderate rent hotels already torn down. They are happy with their living conditions now and don't want them disrupted again. Some are in poor health, but not necessarily "convalescents". For them, the system of cooperation that characterizes the Strand means any errand will be run, any emergency met. What stands out so vividly at the Strand is the family atmosphere. The isolation of the elderly and unwell even in private expensive nursing homes is happily avoided at the Strand. Each resident is part of what adds up to a dignified and close community.

The Strand also functions as a refuge for those made temporarily homeless by fire or other crises. Travelers' Aid, the Red Cross, and the Welfare Department send people to those rooms not occupied on a permanent basis. Of the 15 or 20 inexpensive hotels that once existed in New Haven, only 2 remain. The National Hotel is the other one. It has 45 rooms, 37 for regular residents. Mrs. Elizabeth Pieraccini who worked at the Milner Hotel for seven years before it was torn down for a fire station, and has been at the National for eight years, said, "Most of the people at this hotel work in the downtown area. Everyday we turn away many people and I know that the Strand does the same thing. We used to be able to send to the Yale Hope Mission, but that was closed too. I really don't know where all these people go when we turn them away."

The Residents Speak

In the words of Mr. Harold G. Cornwall, "I've been at the Strand Hotel for 15 years and I like it and don't want to move. I've also worked here for 21 years, and at the Tremond and Rip Van Winkle Motels. The Strand and the National Hotel are the only two hotels left where a person can get a room for three or four dollars a day. And there is a need for this kind of hotel.

"There are at least ten people who come here everyday looking for a room and we have to tell them that we're full. I really don't know where they go. There used to be about 15 low-rent hotels like this and city has torn them all down except two, and now they want to tear this one down also.

"If they built replacements for them it wouldn't be so bad, but they build restaurants or parking lots or let the land stay vacant. I think the city delights in breaking up communities. They have no feeling for the people. We are not young, but that is no reason for the city to treat us in such a fashion. Most of us would rather live here than in the new Plaza. To us, the Strand is home. There is a warm feeling among the people here that I haven't seen in apartment buildings or convalescent homes or old-age homes. I guess it's because we all care about each other. It makes a man feel good to know that others are concerned about him."

Another resident commented, "These days so many old folks are forgotten. And when that happens, many folks just lose their desire to live. If there is a day when I don't come downstairs by noon, the desk clerk will call up to find out what the matter is and if I need anything. To an older person, this is essential." Don, the daytime desk clerk is always close by. He often just calls the tenants to talk. He also gladly runs the elevator, an indispensable aid to the residents. The other 6 permanent employees of the hotel have shown similar concern.

Mrs. Ann Behrend has lived in the Strand for 14 years. She also lived in the Commercial Hotel before it was torn down. "I am not a well person," said Mrs. Behrend, "and the people here help each other. I've had major surgery lately, and my friends came to see me in the hospital and did everything they could for me. Do you think this would happen in a rooming house or an apartment?

"There have been times when somebody had to be rushed to a hospital or a doctor's office and there was always someone at the hotel to do it. Whenever a person is unable to go outside, one of the neighbors will go to get coffee or a sandwich or medicine. This is the type of comfort and security we want. We all have our own rooms and are independent, but if we ever need help, there is always somebody close by."

Mr. Louis Abington has been at the Strand for seven years and was at the Hotel Garden for 14 years until it was torn down. He is quite outspoken about the havoc being created by the Redevelopment agency, and frequently attends hearings and meetings concerning New Haven's plans for lower-income people. He explains, "I and the other people here want to stay with the group. We don't want to be separated. It's too late for us to go around looking for another place to stay. I'm one of the lucky persons. I have a family who would take me, but I don't want to go. I feel free here and I have my own friends. I don't want to depend on my family. What about the other people here? They have no place to go and the thought of having to move is frightening to them.

Redevelopment Agency Moves In

A typical example of the way residents are treated by the city was shown in mid-March when the Redevelopment Agency scheduled a meeting at the Strand for 11 a.m., when most of the people were out. "They didn't even consult us," said Mr. Donovan, "They just said it was at 11 o' clock. They could have scheduled it for the evening when most of the people would have been available." The next meeting with the Agency was called by the residents for 8 p.m. Tuesday, April 8 to find out what the city was doing to keep their community together. Mr. Donovan opened the meeting with a clear and moving account of the feelings of the people at the Strand. Present were about 35 residents, several social service affiliates, five Agency representatives, and the three Reichbart brothers (the fur store owner and the partners in real estate). The Agency representatives were told that the residents had no intention of moving unless the city provided them with quarters that they, the residents, found acceptable. Mr. Rich Moore, a two-year resident, cited other hotels that the city had knocked down and never replaced. He said the people could never rely on the city for their "bread and roses". Mr. Mike Catania, Director of Operations, slid around the questions of residents with a repeated statement that he would not put anyone out in the street. His claim that notice of the May 1st deadline had been given in August was refuted by residents. He acted surprised and said that his office was supposed to have done this. Mr. Ray Call, Director of Family Relocation for the Redevelopment Agency, lamented briefly their imperfect relocation record, and concentrated at length on their perfect intentions.

The Agency brought along Mr. Ed Grant of the Union of Indigent People, basically a rehabilitation program among men housed under one roof. He separated himself from the Redevelopment Agency by stressing that although they might assist in finding other quarters for his program, his only tie was with CPI. Since UIP's efforts revolve partly around job training and placement, it was cruel and ridiculous to hear the Agency hint that this might house some Strand residents who felt nothing in common with the people in that program. Recognizing this, Mr. Grant did not seem happy with this example of the city's helping hand. LAA lawyer Stuart Bear, who is working with the residents at their request on the possibility of an injunction against the city, asked the Agency about the responsibility to provide equivalent housing. The term "reasonable equivalent" was played with in their replies.

Mr. Cornwall persisted in his question, which was persistently ignored, about the Adams Hotel as an ideal relocation for the people of the Strand. There had been talk among residents prior to the meeting about the Adams, which is adjacent to and owned by the Taft Hotel. According to the Taft's manager, Emory Lancer, "All 113 rooms at the Adams are leased by the Culinary Institute until 1971. We have nothing to do with it and no one from the city has approached us." At the meeting, an Agency representative finally said that the city had not looked into the Adams yet, but they certainly could not afford to buy it or any other hotel for the Strand residents. This met with statements by residents about immense expenditures on garages.

Redevelopment is Told Off

The Agency consistently refused to recognize the wishes of the residents for hotel life together. They spoke in terms of "apartment" and "rooming house" which obviously meant breaking up the Strand community. Mr. Cornwall eloquently pointed out that those were bad words to the people of the Strand. In conversations before the meeting, residents talked about the absurdity of apartments for them. They do not own furniture, nor do they wish to, even though the Redevelopment Agency would treat them to it. Attempts by the Agency between meetings to persuade residents [whom they visit one by one, further disregarding their identity as a community] that they could be moved to nice classy apartments, all expenses paid, cannot make a dent. One might think people foolish who declined to live in a new hotel or apartment building, but those at the Strand know exactly what they are doing.

Anyone who has attended meetings with Redevelopment officials, who dodge questions and camouflage issues, has been steeped in the double talk that typified this meeting. The Strand residents were not swayed by good intentions or hollow promises that every avenue would be explored. One of the few specific statements made by the Agency was that the city would extend their stay at the Strand for 30 day periods if relocation efforts were unsuccessful.

In accord with attempts at individual relocation by Redevelopment officials are parallel attempts by the Reichbart brothers. Their motives may be different, but the divide and conquer result is the same. They are on a mutual first name basis with the people of the Strand. So far they have placed two residents in their apartment buildings. One of them did not sign the petition, so this move was no surprise. The move also meant that Reichbart realty company could not be accused of segregation in that particular building, since the person involved is its first black tenant. The second person had signed the petition, and comes back to the Strand during the day to socialize in the lobby with his former family. His means are small, so he could not have a telephone installed right away in the new apartment. For someone in poor health living alone, a telephone is an obvious necessity. An ex-neighbor at the Strand added that even if he had a phone, he might not be able to call for help. At the Strand, all he had to do was knock the phone off the hook and it would buzz the desk automatically, where someone is always on duty.

On April 1 the hotel was told by the Redevelopment Agency that they were not allowed to take weekly guests. On April 15 a new restriction was added: No guests by the day. This means rooms will be kept empty, even while people sleep in hallways and in the street. Also on April 15, Mr. Catania said that residents can stay in the hotel until sometime during the summer, thus keeping the people in a state of uncertainty.

* * *

The existence of any kind of community in America today is rare. A lot of rhetoric goes around, especially in government circles, about creating "community spirit," but in fact most forces today from urban renewal programs to atomized working conditions, are destroying any true communities that have existed. Under such conditions, it is truly remarkable that the residents of the Strand, under difficult circumstances, have created any kind of community among themselves at all.

This does not mean, of course, that conditions at the Strand are perfect. There are many material and social aspects of the residents' lives that could be improved. On a larger scale, the system in America works to abandon elderly people as soon as they are no longer economically useful. This is quickly followed by a social abandonment which can usually ruin the remaining years of their lives. What should be done about this is something we must give alot of thought to in the future; obviously a place like the Strand, while it does help, cannot be expected to solve all the broader problems that exist for elderly people. On the other hand, it is certainly also true that these problems will only be made worse if the Strand community is destroyed.

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THE WAR:
What's Happening?

by Dave Tobis

We have a clean base there [South Vietnam] without a taint of colonialism. Dienbienphu was a blessing in disguise.

John Foster Dulles, 1956

For at least fifteen years the United States has been trying to win direct political and military control of Vietnam. In 1954 the United States was supplying 80% of the French military budget for Vietnam. The current effort involves 545,000 soldiers and $30 billion a year. It would be naive to believe that the United States will voluntarily end these efforts to control Vietnam.

The United States has based its foreign policy on the domino theory, believing that if one country has a successful revolution against United States control, it will make it easier for other countries to do the same. Except for the fact that the Government believes that these revolutions came about because of imported revolutionaries, the theory is essentially correct. If a barefoot, peasant army can defeat the U.S. in Southeast Asia, then the U.S. can be defeated anywhere.

For the United States to admit defeat in South Vietnam would not only mean the loss of a critical military and political stronghold in Asia, it would mean the beginning of the end of the American Empire. Given this basis for American foreign policy, there are, theoretically, three

In their fight against American Agression, young Vietnamese peasant women fire anti-aircraft guns. Because of efforts like these, the National Liberation Front now controls most of South Vietnam's countryside, as shown in the map they issued in 1968. Note however, that most of the major cities are not yet permanently under their control.

different directions for the future of the war:

1) A tremendous escalation of the United States' role in the war. This would entail a resumption of the bombing of North Vietnam (eventually bombing Hanoi and Haiphong), several hundred thousand more U.S. troops and a great increase in firepower and machinery. The result of this action would be militarily and politically disastrous to the United States. The U.S. troops which are currently in South Vietnam have virtually all been forced back into the cities and military bases. An increase in their number would merely enlarge the size of the targets for the NLF rockets. Bombing North Vietnam would temporarily decrease the supplies and equipment from the North to the South but it would be done at the cost of decreasing the number of bombing raids on South Vietnam. The decrease in the bombing of the South would allow the NLF greater freedom and maneuverability. Politically, a large increase in the U.S. involvement would solidify and strengthen the U.S. and international anti-war/anti-Imperialist movements which the United States has so successfully diffused.

2) Continuation of the war at the present level with the U.S., whenever possible, engaging in temporary aggressive action. Based on the success and advances of the NLF in the past, the result of such a course of action, after many years, would be an increase in the strength of the NLF. It would allow them to continue to periodically engage in phenomenal military feats such as forcing the U.S. to evacuate Khe Sanh, controlling Hue for thirty days or shelling simultaneously 45 district and provincial capitals for many weeks as they have done in this recent offensive. Since the United States would continue to lose the war, this course of action would be very harmful to the U.S. bargaining position in Paris.

3) A gradual decrease in the U.S. fighting force with a shift of the burden of the war onto the South Vietnamese army (ARVN). This course of action would gradually decrease the United States' responsibility for the outcome of the war but it would also lead to the defeat of the puppet army. The decrease in responsibility for the outcome of the war is, however, what the United States is trying to accomplish.

The course of action which the United States will follow, therefore, is to continue its role in the war at the current level while making it *appear* as if there is a decrease in the U.S. role and an increase in the ARVN's role. This would allow the United States to take less responsibility for a defeat or any concessions to the NLF while still retaining political and economic control. This strategy is clearly seen from the actions of the U.S. government in the last few weeks in Paris and Vietnam.

Several examples illustrate the fact that in reality the United States is not de-escalating the war, nor decreasing its role in the war. The April 2 headline that B-52 raids in the war would be cut by 10% in reality means that Laird's budget proposal of an increase of $102 million for B-52's next year was cut by Congress to an increase of only $50 million. A smaller increase was therefore claimed to be a decrease in B-52 expense. It also meant that more money would be spent on smaller, lower flying, more maneuverable planes rather than on the giant B-52's

Secondly, for many months military and political officials have talked about the possibility of withdrawing a small number of troops. The reduction in troops, which undoubtedly will be announced shortly after the military comes out with its new strategic study in the middle of May, will serve to dissipate the anti-war movement and create the illusion of a decrease in the United States' role in the war. But the critical point is that at this stage in the war such a reduction will in no way limit U.S. strength. Significant U.S. offensives in the war have consisted more and more of bombing raids on NLF troops so that the ground force needed now is significantly smaller than what was needed a year and a half ago. A reduction of 40,000 to 60,000 men (3½% to 5½% of the total allied forces in Vietnam) would not be significant in terms of United States offensive strength.

90% of Territory

The NLF now controls 90% of the territory of South Vietnam while American troops are forced to spend their time defending major cities and military bases from NLF attacks. The NLF has gained in military and political strength to the point where it can gather thousands of troops within ten or fifteen miles of any major city in South Vietnam and shell military bases anywhere in the country for weeks at a time. Significantly, as Wilfred Burchett reported recently, the most highly trained elite troops of the NLF have not yet been used in the current offensive.

The growing military strength of the NLF, as seen in the most recent offensive, has forced the U.S.-Saigon leadership to make concessions they would not have dreamed of a year or two ago. International political concessions are never gotten due to the good will of one's enemy; they must be won.

Laird's statement (in the April 7 issue of **U.S. News and World Report**) that the United States would accept communists in a coalition government and Thieu's statement that he would be willing to

At left, People's Liberation Armed Forces fighters prepare to fire mortars. At right, old militiamen in training. Frequently American planes are shot down by a volley of fire from Vietnamese using small arms on the ground.

negotiate directly with the NLF and allow them to run in national elections (if they changed their name to allow Saigon to save face) are clear signs of the growing strength of the NLF. A year ago Thieu was unwilling to talk in Paris with the NLF present.

But the U.S.-Saigon forces have been able to disguise their military and political failures. When the recent offensive *forced* the U.S.-Saigon leadership to recognize politically the NLF, the headline on the front page of the **New York Times** read, "Policy Shifts Reflect Thieu's Political Strength." When I was in Hanoi in May 1968, representatives of the NLF, when questioned about the similarities of Khe Sanh and Dienbienphu, told us that the battle of Khe Sanh had yet to be fought. Because the United States feared a catastrophic defeat at Khe Sanh they were forced to evacuate the base. The American press and Government covered this up by saying that the base was no longer needed. The American left failed to expose or capitalize on this major defeat for the U.S.

This has been a major weakness in the anti-war movement. We have been able to expose the increasing aggression of the United States but we have failed to show its increasing bankruptcy. For too long the American left has failed to respond to the victories and the growing strength of the NLF.

We have geared our anti-war activities to the actions of the United States Government. When the U.S. began bombing North Vietnam we accelerated the number of our demonstrations. When the number of U.S. troops in Vietnam was escalated, we escalated the size and force of our demonstrations, draft counselling and teach-ins. And tragically, though logically, when the bombing of North Vietnam stopped, so did many of our demonstrations. As the talks began in Paris, we became hopeful and felt less urgency for confrontation and political activity since the government was beginning to respond to our demands.

The American Left Fails

Until, perhaps, the Tet offensive, this was an adequate strategy for the American left. Until that point the American public and the military machinery believed that, if only we sufficiently increased the size of our troops and firepower in Vietnam, the U.S. could win the war. The strategy of the majority of the anti-war movement was designed to prevent the further escalation of American aggression.

If the analysis of the first part of this paper is correct as to the future course of the war, then we have been successsful in limiting the size of the war, but we have failed to limit the length of the war, let alone help to end it.

This failure is due in part, to the fact that the American left has not analyzed in what ways the war could end and insure the liberation of South Vietnam. We have therefore not developed a strategy to help bring about that end. The result of this failure has been a strategy which has responded to the increased aggression of the United States rather than to the increasing victories of the NLF. Our anti-war activities have become dormant when they should be most intense.

The NLF has said that they are willing to continue to fight for twenty years or more until all U.S. and satellite troops are withdrawn from South Vietnam. For the United States to abandon South Vietnam, they must not only recognize (as they do) their military and political bankruptcy there, but they must be forced to admit internationally to that bankruptcy. In 1954 the war in Vietnam came to an end because of decisive victory for the Vietminh at Dienbienphu and because the French were forced to recognize this as a defeat.

Given the United States military technology and $30 billion a year it would be possible to be militarily defeated but continue bombing and destroying South Vietnam indefinitely from large military bases within and outside of South Vietnam. WE therefore must begin to concentrate our demonstrations and anti-war organizing, not only around the aggression of the United States, but around the increasing defeats of the United States and thereby force the government to admit defeat.

Though the NLFbelieves that the outcome of the Vietnam war will be determined on the battlefield, they realize that national and international pressure on the United States is extremely important in determining the point at which the United States will admit its bankruptcy and be forced to abandon South Vietnam. Over the past eight years the NLF has sent 168 delegations to international, regional and national conferences and 237 other delegations on friendship visits to foreign countries. These activities are costly both in manpower and resources. Yet the NLF feels that these meetings and our anti-war work are important. Already more than 2 million Vietnamese have been killed in the war. Our support now for the struggle of the Vietnamese is more important than ever.

The "sharpening spikes" dance is performed by the liberation dance ensemble. These are the "punji" spikes used by the Vietnamese in booby traps.

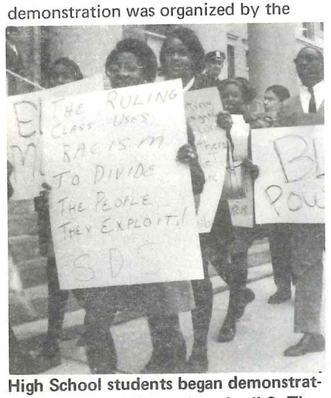
BRIDGEPORT HOUSING

1500 people jam Lyon's Terrace, Bridgeport, to protest criminal housing conditions.

By Alan McKnight

People have always said that without Yale University, New Haven would be just another Bridgeport. AIM's studies of Yale's use and abuse of New Haven have given that old axiom a new shade of meaning. Now the people of Bridgeport are reversing the meaning completely. We could wish that the picture above might be duplicated in New Haven.

The scene is the steps of Bridgeport's city hall, Sunday, April 13, a "Memorial Service" for the 11 people killed in a tenement fire on Easter Sunday. The demonstration was organized by the Housing Chairman of the Bridgeport-Stratford NAACP, Thomas Todd. He opened the ceremony not with a prayer but with a blast at the housing conditions in Bridgeport and a pledge for action. "We're going to shake the walls of this building to the ground," he said, gesturing to the city hall behind him, "until the men inside do something." "Right on, Baby!" called back some young men in the crowd of 1500, and that's where the demonstration was all afternoon.



High School students began demonstrating at city hall Wednesday, April 9. The schools suspended them, which brought out twice as many on Thursday and Friday. (Photo: David Bannon)

NAACP leaders and poverty officials who spoke denounced the city for tearing down so much of the low-income housing without replacing it. Rev. Sullivan, a member of the city's own housing commission, told of being refused by the Mayor every time he demanded new housing. The crowd was so angry at the city, it barely let Rev. Sullivan speak, but he asked for support Monday night, April 21, when he plans to ask the city to rezone 14 acres of industrial land for new housing, and a large crowd is expected to invade the Common Council Chambers to back up that demand.

Two representatives of Bridgeport's SAAC, (Spanish American Action Committee), spoke militantly in English and Spanish against the running of the city to serve the rich while the poor are overcharged for living in fire traps, and they called for more Blacks and Puerto Ricans in the city government in order to change that.

Two Black Panthers pledged the support of their Party in achieving the demands for better housing. "How we going to get it?" shouted Warren Kimbro; "Take it!" suggested some in the crowd; "Solidarity, Baby," answered Kimbro cooly, "solidarity." "If revolution is necessary," added Jose Gonzalez a few minutes later, "then there will be a revolution."

There was plenty of comment for the notorious Bridgeport landlord, Abe Katz, in whose tenement the 11 died. "He is a pimp," said the Rev. Peters, "and his houses are his prostitutes. They do their dirty work on the city's streets and bring their money to the man who protects them from the law." Two months before the fire Katz's building was cited for 32 housing code violations. One sign in the crowd read: "Abe Katz eats lunch with Mayor Curran in the Algonquin Club."

But in general the people were not going to let the city get away with making Katz a scapegoat. (He was arrested this week for 42 violations in another house). The people know why there are only Katz-houses for them to live in. They know why so much land has been cleared of homes and the Rt. 25 expressway built and the parking garage and the Lafayette Shopping Plaza on the choicest downtown property, and the Algonquin Club and the Holiday Inn and a hockey rink, instead of new housing. They know that Bridgeport is someone's Colony. One sign proclaimed under the title WAR NEWS: " 14 dead in Vietnam. 11 dead in Bridgeport."

Right on.

Warren Kimbro addresses the crowd. Thomas Todd (3rd from left) pledged to block construction on commercial sites until a concrete commitment is made to build housing.

THE OAKLAND SEVEN

by Mimi Abramovitz

Recently, seven Movement organizers were acquitted of conspiracy charges stemming from the October 1967 Stop the Draft demonstrations in Oakland, California. The government's failure to suppress radical opposition to its policies by use of the conspiracy law represents a significant victory for the Movement. The acquittal can be attributed in large part to the defense's success in educating the jury about the political issues involved in this kind of trial.

Despite the Oakland verdict, the government has not been discouraged from using legal tools such as conspiracy laws and Grand Jury procedures to repress political activity. The conspiracy indictments recently handed down to eight people who demonstrated at the Democratic National Convention in Chicago are proof enough that repressive prosecutions will continue.

New Protest Form

Stop the Draft Week was conceived in July 1967 as a new form of anti-war, anti-draft demonstration. Previous forms of opposition such as marches, peace candidates, complicity statements, draft-card burning had failed in their goal—to change the minds of the people in power. The Stop the Draft Week demonstration had a different goal—to stop those in power from operating.

Our feeling was that only by physically disrupting the induction process could we become a force with which the government would have to reckon. Further, we believed that the anti-draft movement could only become really effective if it were able to involve large numbers of working class guys. Our experience in anti-draft work had led us to the conclusion that most guys from working class backgrounds would not subject themselves to a possible five-year sentence for draft refusal unless they became convinced that the anti-draft movement had real power and could offer other effective means of opposing the draft, besides jail. (From **An Open Letter From the Oakland 7**, printed in anti-war, new left publications.)

Massive direct action and civil disobedience were the overriding themes. Demonstrators were not bound to the principle of non-violence. The Man's response to to actions against the power structure would predictably be violent; therefore self-defense was stressed. The induction center was to be shut down.

Ten Thousand Strong

The five days of demonstrations took place during the week of October 16, 1967, simultaneously with demonstrations accross the nation. By the last day, 10,000 people demonstrated in the face of 2,000 policemen called in from neighboring cities. Demonstrators, split up by the police into small groups, adopted disruptive tactics which included blocking streets around the center to stop the inductee-filled buses.

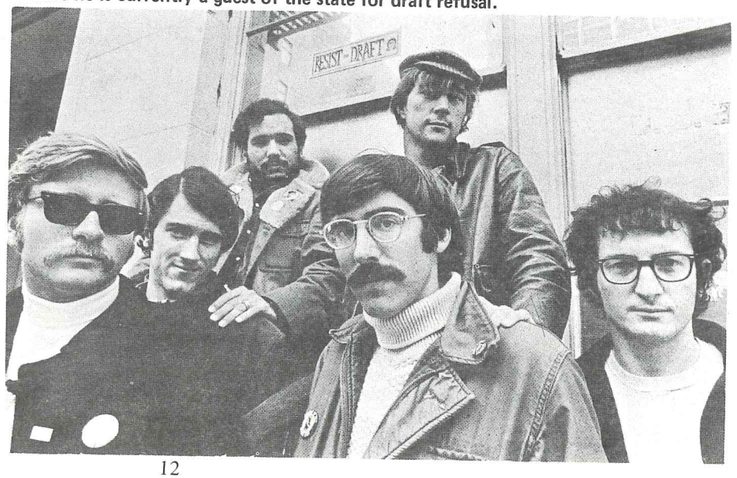
On two of the days, police used exceptionally brutal tactics. They sprayed Mace, charged the demonstrators in wedge formation and swung their clubs indiscriminately. Police attacks were vicious enough to result in a public outcry as well as press coverage sympathetic to the demonstrators. Despite police efforts, the induction center's operations were obstructed. It cost the city of Oakland $2,250,000 to keep the center open.

Hundreds of demonstrators were arrested during these four days, most for misdemeanors such as failing to disperse, disturbing the peace, trespassing. Eventually several hundred people served time in jail.

The response from various groups during and following Stop The Draft Week indicated that the new strategy was right. "Our feeling that this type of action would speak to those beyond the college campuses seems to have been borne out. For the first time, we got positive reactions from guys in unions where we have contacts. And at high schools in lower-income neighborhoods, the response to the demonstrations was enthusiastic." (From **An Open Letter from the Oakland 7.**)

Demonstrators also received support from the black community. While large numbers of black people did not demonstrate, blacks saw whites experience what is a daily occurance in the black community—police brutality and oppression. They saw white people willing to clash with the police and defend themselves. The Black Panthers spoke regularly at rallies supporting the seven indicted for conspiracy before and during their trial and tied the Panther's struggle to the cause of militant whites.

The Seven; from left to right: Steve Hamilton, Terence Cannon, Reese Erlich, Bob Mandel, Mike Smith and Frank Bardacke. The seventh, Jeff Segal, was unable to appear because he is currently a guest of the state for draft refusal.



Organizers Indicted

Three months after Stop the Draft Week, Prosecuting Attorney of Alameda County, J. Frank Coakley, announced the Grand Jury indictment of seven of the demonstrators for criminal conspiracy. Indicted were Frank Bardacke, 26, Terence Cannon, 28, Reese Ehrlich, 20, Steven Hamilton, 23, Robert Mandel, 23, Jeff Segal, 26, Mike Smith, 27. Mr. Coakley explained to the **Oakland Tribune**, "Technically a hundred or even a thousand demonstrators could have been indicted for their actions, but we simply don't have enough courts so we have to take the most militant leaders."

The defendents were charged with conspiring to commit three misdemeanors: trespass, public nuisance and delaying and obstructing police officers. While the misdemeanor violations themselves are minor charges, a conspiracy to commit a misdemeanor carries a much more severe penalty. It is also much easier to prove. All that is needed to prove a conspiracy charge is an agreement to commit an illegal act plus some overt act *in furtherance of* the conspiracy. That is, the actual illegal act need not even have been performed. None of the seven indicted for conspiring to commit the misdemeanors had been arrested on the misdemeanor offense.

The overt Acts attributed to the Oakland Seven include: arranging and directing a meeting in Berkeley; distributing pamphlets and maps describing a demonstration to be held at an induction center; demonstrating the use of a wooden stick as a club; opening, maintaining and depositing funds in a checking account entitled Stop the Draft Week; directing and walking with several others to the vicinity of the Induction center; hiring buses to carry persons from Berkeley to Oakland; transporting loud speaker equipment to the Berkeley campus.

It is important to note that none of these overt acts are crimes; in fact they are very ordinary tasks which precede any demonstration. Six of the seven defendants were members of the STDW steering committee and carried out these tasks in that capacity.

So Easy to Conspire

The conspiracy law has been used as an instrument of repression before. The law originated in the Star Chamber, an inquisitional Court of 17th Century England. It first appeared in America (1806) in the Philadelphia Cordwainers case which ruled that a strike of shoemakers for higher wages was a criminal conspiracy. Conspiracy laws were used primarily against organized labor and political action groups in the 1920's and 1930's and in the Smith Act prosecutions of the 1940's and 1950's.

The California conspiracy law was strengthened in 1943 with the intent of convicting the leaders of organized crime. In 1965 Yvonne Merga (then a third year law student) wrote in the Hastings Law Review what became a blueprint for the current use of the law:

Recent demonstrators in California have been charged with unlawful assembly, failure to disperse, trespass, and disturbing the peace—all misdemeanor offenses punishable by a relatively minor penalty. The penalty does not deter repeated violations....

While the illegal demonstrators in California have not been tried for criminal conspiracy, it would seem clear that they could be....If a conspiracy is charged there is no need to wait for all the participants to commit the planned acts before arrests are made.... Attendance at a preparatory group meeting to plan an unlawful demonstration would satisfy the requirements of conspiracy....

The sanctions of law applied to a convicted felon are many and harsh. In addition to the initial confinement in the State prison, the felon may be disqualified as a juror, give his spouse grounds for divorce, and may have severe restrictions placed on his liberty even after he is paroled. The informal penalties, such as loss of job, education and respect would also be compelling reasons for second thought on the part of potential unlawful demonstrators.

Yvonne was promptly hired as Deputy District Attorney by Mr. Coakley.

The value of the conspiracy law as a way to "get" people on whom the state cannot pin other charges has not been lost on the government. It was used to indict Dr. Spock and four other well-known anti-draft leaders on charges of conspiracy to commit a felony: aiding and abetting violation of the draft law.

A Federal case involving prominent people, the Spock trial received nationwide support. The case was thus not notably useful to the prosecution. Recognizing this mistake, Attorney General Ramsey Clark in early December announced the establishment of a new Justice Department unit to deal with violations of Selective Service Laws: "All United States attorneys have been instructed to expedite investigation and prosecutorial recommendations on these cases. They have also been directed to cooperate with local law enforcement officials and *to urge them to vigorously prosecute violations of local laws which may occur in demonstrations against the Selective Service system."* (emphasis added)

The Oakland 7 were indicted by the Alameda County Grand Jury in January 1968. None of the major wire services carried the news. With national publicity thus precluded, widespread public support did not develop. The use of local conspiracy laws tries to isolate one part of the movement from another and from the wider public.

The Better to Repress You

The indictment was designed to suppress opposition to the war and was necessary in January 1968 because the Johnson Administration did not want the war to be a campaign issue in November. Nothing would have pleased Johnson more than to scare the peace movement out of the streets and reduce its ability to escalate the protest of the war. Success might have stopped Johnson from becoming the sacrifical lamb of those who have a stake in continuing the war.

The extent to which the government was willing to violate the First Amendment rights and to stretch the use of the conspiracy law were made apparent in Coakley's interrogation of Jan Blais, University of California Dean of Students. He reminded the Dean that he had warned the University.

If the University allowed facilities to

be used by an organization...and that organization used the facilities for the purpose of planning off-Campus activities which were criminal...that the use of the facilities and the planning which went on on the Campus...could be considered a part of a criminal conspiracy, as a result of which, under the law, even University officials who acknowledged that such plannings were going on and permitted the use of those facilities, could possibly be involved in the conspiracy and be subject to prosecution.

The conspiracy law is further useful for repression because it is aimed at leaders. If they are punished and immobilized, the thinking goes, the rest of the Movement will be intimidated into silence and inactivity. The Boston 5, the Oakland 7, the Chicago conspiracy charges, all represent use of the conspiracy law to pick off leaders.

One of the major defense arguments in the Oakland 7 trial was "selective prosecution": the seven were picked from among the thousands of demonstrators not for any crime they committed but because they were leaders of a radical political movement.

Any act of repression serves to divert the Movement's attention and resources from its political work to raising defense funds and mounting a campaign of public support. Such was the case of the Oakland 7 in the months immediately following the indictments. The seven had to drop most of their organizing work and try to raise the thousands of dollars necessary for their legal defense. But after this initial period of immobilization, the decision was made to use the trial as an instrument of their organizing.

Not so Grand Jury

Like conspiracy charges, the use of Grand Jury procedures to repress unpopular political work is not a new policy as Coakley indicated. One of the Grand Jury's theoretical functions is to protect people from unfair prosecution. In the Oakland Seven and many other cases, the State uses the Grand Jury procedure to achieve its own ends.*

*See **Washington Free Press**, March 15-31 for detailed discussion on Grand Juries by Brian Glick and Cathy Boudin.

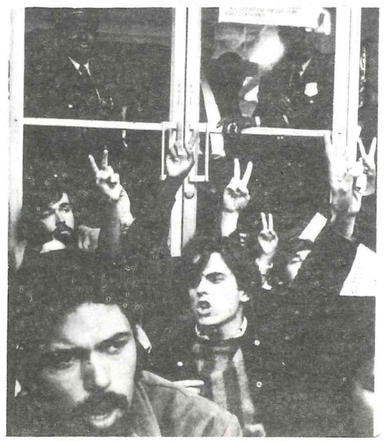
One reason this can happen is the composition of the Grand Jury. It originated in 13th century England as a corps of knights assigned to help the crown identify and prosecute criminals. Since then, Grand jurors have been drawn from society's elite groups and as such have used their power to further the interests of those groups.

Huey Newton and the Oakland Seven were indicted by Grand Juries picked from names provided by Alameda County Superior Court judges. Between 1950 and 1968, among 261 jurors chosen by the same methods there were 26 company presidents, 31 bankers, 5 utility executives and a number of realtors and other business officials. Non-whites, over one-third of San Francisco's population, provided only 5% of the jurors.

The Grand Jury system also favors the prosecution because the prosecution can use Grand Jury procedures to deprive a defendenat of the tactical advantage of a judicial preliminary hearing. Because the Grand Jury serves the same procedural functions as the preliminary hearings (both are supposed to protect against unjust prosecution, and both in fact rubber stamp the D.A.) the defendent is not entitled to both. The D.A. typically decides which procedure will be used.

At a preliminary hearing a defendant need not take the stand or present any part of his case. His attorney however, can discover the State's evidence, cross examine State witnesses, or postpone his

Outside the induction center during Stop the Draft Week in Oakland, California.



defendant's trial, as was done by lawyers for the Columbia strikers.

On the other hand, the defendant gains nothing from Grand Jury procedings. Rather they function against him by making information and power available to the prosecution while blocking the defense's access to these resources. Defense attorneys are excluded from the jury room and prohibited from cross examining the State's witnesses or objecting to questions asked to defense witnesses. They receive transcripts of jury proceedings only under special circumstances and by court order, in contrast to prosecutors, who receive them automatically. In some states the defendant does not even know the Grand Jury is discussing him and, even if he does, is not allowed to appear before it; in others where he can testify but not remain, he must nevertheless allow the DA to use anything he says against him at his trail.

The DA's ability to compel testimony and to isolate a witness from his attorney, the public and the media puts great power in his hands. Without the presence of counsel (the lawyer can remain outside the jury room and be consulted) witnesses are more vulnerable to pressures. Indeed the whole process becomes inbued with the terror of an inquisition.

The use of legal structures to repress political activists was clear in the case of the Oakland Seven, who were deprived of the use of a preliminary hearing and indicted instead by a Grand Jury.

Attorney as Organizer

Because a political trial requires organized community support, educating the community to the issues involved was one of the major tasks of the Oakland Seven defense committee. To this end they organized a four day Commission of Inquiry into the War in Vietman. This commission focused on political prisoners in the United States, a radical analysis of the war as an imperialist venture, an analysis of repression in the United States and how to fight it. This pre-trial inquiry and the three month trial itself became organizing acts to further the work of the Movement.

Charles Garry, the lawyer who saved the life of Black Panther Minister of Defense, Huey Newton, transformed the trial into

one which highlighted the political motives of the prosecution, the political views of the defendants and the legal basis of their political actions. Routine court procedures provided the defense with opportunities to convey the political message.

During the three weeks of jury selection, Garry challenged the whole jury selection process. Alameda County Jury Commissioner, Edward T. Schnarr, was three times called to explain why the jury panel for this trial had so unusually few women, blacks and young people. When Prosecutor Lowell Jensen challenged every black person tentatively seated on the jury, Garry moved for a mistrial on the grounds that Jensen was willfully excluding blacks. The motion was denied, but potential jurors were educated.

The questions posed to each potential juror by the defense included:
"Do you believe, as is stated in the Nuremberg Judgments, that it is the duty of every citizen to resist illegal acts of his own government?"
"Do you believe in a citizen's right to self-defense? Even against a police officer?"
"If it were shown that the violence at the Oakland Induction Center was deliberately provoked by the police, could you believe such evidence?"
Many of these kinds of questions were denied, but a political atmosphere was created.

The questions posed to defense witnesses, just as those posed to the jurors, became tools of political education. Asked why they went to the demonstrations, forty-seven witnesses were given the opportunity to state, often at length, their opinions on the war and the draft.

The issue of the war became an integral part of the case. Judge Phillips, who initially refused to allow questions on a juror's opinion of the war, ended up asking the jurors himself if they had any views on the war that would prejudice the case.

The police brutality issue was also introduced into the courtroom. The District Attorney's attempt to obtain conviction by blaming the seven for the disruptive nature of the demonstration (rather than by proving conspiracy) resulted in the defense attorney's eliciting vivid testimony on police brutality and police initiation of the disruptions.

Even the D.A. helped. By trying to "hang" the defendants on their speeches, writings and other statements, he expressed their views for them. By playing the entire tape of the five hour rally preceeding Stop the Draft Week, he allowed the jurors to attend their first anti-war rally. The defendants' views were put forth so well that there was no need to call them to the stand and expose them to cross examination.

Educating a Jury

The trial did more than just free the Oakland Seven. It in effect "organized" the jury. When the defense stated that the jury seemed to be the best obtainable under the circumstances, they could not have had much hope that this group of 12

Eyeball confrontation of a barricade during Stop the Draft Week. Note the demonstrators come prepared (helmets and shields) and that the police are surrounded.

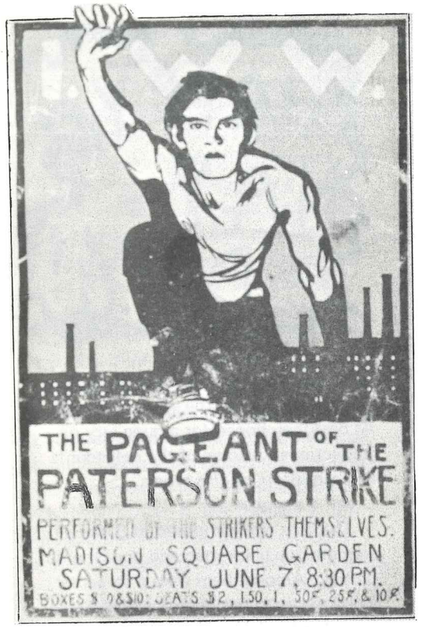
people from the southern, politically conservative areas of Alameda County would find each of the seven *not* guilty. At best they hoped for a hung jury or convictions for some of the defendants and acquittals for the others.

The jury was composed of 8 men, 4 women, one black man and one Oriental person. Among them were a carpenter, a pharmacist, a housewife, a bookkeeper, a low level executive, two military researchers, secretaries, a technician, and a retired marine colonel now a book salesman.

These 12 people acquitted the Oakland 7 because the defense was able to convince them that the First Amendment permits even the advocacy of crime, unless one immediately incites crime; that the seven indicted did nothing different than the other demonstrators and other organizers; that the seven did not themselves commit any of the crimes they allegedly conspired to. Further, the prosecution was never able to connect the words of the Oakland Seven with what 10,000 demonstrators did.

The case of the Oakland Seven has closed. One of the many lessons to be learned is the importance of the Movement's daily organizing work. Our task is to create a political environment in which the government will not be able to indict or convict people for their political ideas or their political work because they will not be able to find a jury to do the job.

Victorious because seven brothers are free, victorious because the possibilities of political work were so dramatically demonstrated, we nevertheless can see that the Grand Jury and the conspiracy law as well as new devices will be used again as a means to repress Movement activity. The rehersal for the repression was not successful this time, but repeat performances can be expected.


I.W.W.
THE PAGEANT OF THE
PATERSON STRIKE
PERFORMED BY THE STRIKERS THEMSELVES.
MADISON SQUARE GARDEN
SATURDAY JUNE 7, 8:30 P.M.
BOXES $5.00 & $10.00. SEATS $2., 1.50, 1., 50¢, 25¢, & 10¢.

The Paterson Strikers have a sympathy rally at Madison Square Garden: at left, the program; at right, the strikers march up Fifth Avenue to the Garden.

IWW IN PATERSON, 1913

by Bob Cook

America is one big plantation. A small number of people own the wealth—land, money, machines—and use it for their own benefit. The rest of us work here. This is called the free enterprise, or the profit system. If we all understood this, it is unlikely that we would continue to work to make profits for someone else. We would seize control of our country and run it to meet the needs of all the American people.

One reason we don't is that many of us are convinced that the way things are is the way things have to be, even the way they ought to be. The same people who run our country also control the radio, television, newspapers, schools, and universities. The messages of these media help to conceal the rule of our country by the few. These few especially want to keep us in the dark about our own strength, about what we could do to challenge their rule. For that reason, the history of American revolutionary movements like the I.W.W. is hidden, disparaged, or distorted.

For example, I grew up in Paterson, New Jersey, site of the great I.W.W. strike of 1913. From my family, I heard little beyond the fact that my grandfather had been in the strike, From the schools, I learned nothing about the strike. There was a street named after Mayor McBride, who had brutally suppressed civil liberties during the strike, but no monuments to Adolph Lessig, I.W.W. strike leader. Some of my relatives lived in Haledon, but I never heard of the Socialist mayor there who welcomed the strikers for mass Sunday meetings after they were banned in Paterson.

Even when our history books mention the I.W.W., the standard line from both academic and labor histories is that "radicals" like the I.W.W. never did the hard organizing work. According to this line, I.W.W. leaders would blow into town during a strike, fan the flames of discontent by preaching of revolution and a new society, then leave just as quickly when the strike was over. The good labor leaders, the argument goes, were those in the A.F. of L., who recognized the need for practical, "bread and butter" unionism.

Organizing in Silk City

The facts of Paterson tell a different story. The I.W.W. had been in Paterson for years. In 1906 alone they had led 24 strikes. Local 152, led by Adolph Lessig and Ewald Kostgen, was in existence since 1907 and had about 1,000 members. They had been agitating—among other things– for the eight hour day. (The first strike in Paterson had been over hours. In 1828, cotton weavers had walked out to demand a reduction from eleven hours to nine.)

Bill Haywood called Paterson the Lyons of America. "Silk city" was the center of silk production in the U.S., and the mills and supporting manufacturing dominated local industry. Most of the silk workers were Italian and Jewish immigrants, but as in Lawrence there were also many other nationalities such as German, Dutch, Irish, and French. Average wages were under $600 per year for a 55 hour work week.

A main source of discontent among the weavers in Paterson was the introduction of the four loom system, in which weavers operated four looms simultaneously instead of the usual two. With this form of speedup, more surplus value could be extracted from each worker. The system was introduced with the support of the A.F. of L.'s United Textile Workers, which got in exchange the right to organize skilled crafts in the mills. The U.T.W. also supported the move as "technological progress."

Strike City

In 1912, the local Socialist Labor Party, or the "Detroit I.W.W." which had split off after the 1908 convention, led an abortive strike in which they avoided the militant, direct action tactics of the regular I.W.W., even going so far as to bar peaceful picketing.

Then, on January 27, 1913, 800 workers walked out of the Doherty Silk Company, leader in the introduction of the four loom system. On February 24, the I.W.W. called for an industry-wide strike. Their leaflet read: "Fellow Workers: Close down the mills and dye houses of Paterson. Stand together. Act now. Organize in one big union and fight for a chance to live as human beings should live. All together now and victory will be ours." By March, over 25,000 workers were out, producing what Bill Haywood called "the closest approach to a general strike that has yet taken place in America."

As had become I.W.W. practice, the strike was run democratically by a general strike committee of 250-300 workers. The I.W.W. leaders, including Bill Haywood, Gurley Flynn, Patrick Quinlan, Adolph Lessig and Carlo Tresca, advised on major decisions and organized the day-to-day strike activities. This form was too democratic, some later argued, as it allowed major decisions to be influenced by conservative, non union elements.

Suppression and Solidarity

The Paterson manufacturers struck back at the strikers with the full force of the local government and the press. Outdoor meetings and mass picketing were banned and I.W.W. speakers attacked for "inviting to riot." But the strikers picketed and the Wobblies spoke. In return, they were arrested on an unprecedented scale. On the first day of the strike, Flynn, Tresca, and Quinlan were arrested. Quinlan was later sentenced to two to seven years in prison. Haywood and Lessig were arrested for unlawful assembly when leading a march to a meeting in Haledon. All told, almost 5,000 strikers were arrested and 1300 jailed.

The mass Sunday meetings in Haledon became a source of strength. As one observer wrote: "The feeling of comradeship between all workers was beautiful to see.... To hear that immense throng of men and women sing their songs was indeed a thrilling moment. What other organization, political or otherwise, had spirituality enough to dare to mingle music with its deliberations as the I.W.W. did?"

Even the children joined the strike. They picketed the schools when teachers spoke against the strikers, organized their own strike committee, joined the picket lines with their parents. Haywood spoke to them once of "Kid's Town," a place in a new society where adults would not always deny their wishes. Women's groups were organized too. A restaurant, a grocery and a drug store were set up and run by the strikers for all who needed it. Sympathetic doctors and dentists were enlisted to give free care to strikers.

Elizabeth Gurley Flynn addressing strikers in Paterson, 1913. As in Lawrence, the mill owners tried to get the strikers back to work by declaring Flag Day, and flying flags at all the mills. The workers replied with the slogan: "We wove the flag; we dyed the flag; we live under the flag; but we won't scab under the flag."

The Issue of Violence

As was often the case, violence became an issue in the Paterson strike. The I.W.W. was accused of inciting to violent revolution, sabotage, and so on. But even the anti-union Paterson **Press** editorialized: "one remarkable feature [of the strike] is that although many thousand workers stayed away from the mills for five months, not only was there practically no violence but the rank and file of the strikers behaved themselves during a trying time in a manner that entitled them to admiration." A Rabbi Mannheimer said, "I hold no brief for the I.W.W....But I cannot refrain from paying tribute to the leadership of William Haywood, Elizabeth Gurley Flynn, Patrick Quinlan, Adolph Lessig, and Carlo Tresca. For 13 weeks they have held in check and directed an army of 25,000 men and women. Had they been preaching anarchism and violence there would have been anarchism and violence."

But violence did come to Paterson. It came because the I.W.W. was a threat to the class interests of the manufacturers. An investigation by the Commission on Industrial Relations reported that "The police organization, coupled with the police magistrates court, became tools of oppression...The police authority of the state was, in effect, turned over to the mill owners." In addition, about sixty private detectives were employed "as a private army of the mill owners." The commission report concluded, "All violence that engaged the attention of your investigators was found on the part of police officials and the inferior courts, who trespassed every natural right and constitutional guarantee of the citizens." As the president of the Paterson Manufacturer's Association put it, "We'd rather go to the wall at once than yield everything we own to them by degrees."

Vigilante action was encouraged by the local press. One paper issued the call to "get Haywood. Never mind the manner; don't hesitate at the method; don't bother about the means. Get Haywood!"

At least one worker was killed. On April 27 private detectives escorting scabs

into a mill fired on strikers, killing Modestino Valentino, a non-participant who was standing on his porch. The I.W.W. led a massive funeral demonstration in which 20,000 strikers dropped red carnations on the coffin as they filed by.

During the strike, the I.W.W. exposed the way in which capitalists, in their search for profits, sabotage production. The strikers publically described how silk was "dynamited," that is, treated with a solution of tannic acid, tin, and lead to increase its weight. While making the silk seem finer, it shortened the life of the material and caused it to crumble after little use.

A Paterson Pageant

The climax and the beginning of the end of the strike was the Paterson Pageant. The idea came from John Reed, a recent graduate of Harvard who had heard Haywood talk at Mable Dodge's salon in New York City. (Reed was to later become famous as an ardent supporter of the Russian Revolution.) He went to Paterson and got arrested. When released, he began to mobilize the literary radicals of New York around a proposal to recreate the strike on the stage of Madison Square Garden.

On June 7, several thousand strikers arrived in New York and marched down Fifth Avenue with red banners, singing the "Marseillaise" and the "Internationale." That night, a cast of 1,000 of the strikers acted out various episodes in the Garden, including picketing, a mass meeting, and the funeral of Valentine Modestino.

The Pageant was an artistic and emotional triumph. But it was a financial failure. Billed as a fund raising effort to replenish the strike fund, it ended up costing almost $2,000. In addition, some of the most active strikers were sidetracked for two weeks while preparing for the pageant.

Separate Settlements

The strikers demands included abolition of the four loom system; an eight hour day; and $12 a day minimum wage. Recognition of the I.W.W. was not a condition for settlement. However, the I.W.W. and the strike committee argued for a citywide settlement. But the workers were getting hungry. In July, the mill owners offered shop by shop negotiations. The strike committee reluctantly agreed under pressure, and by the end of July almost all the strikers were back at work. Broken into 300 separate groups, they had no power and received almost no concessions.

The I.W.W. blamed the defeat on "Hunger. Nothing else." While the strikers ran out of funds, the silk manufacturers had other mills in Pennsylvania which were never shut down. And the suppression of civil right and liberties in Paterson took its toll. As Gurley Flynn said, for the workers of Paterson the statue of liberty is personified by the policeman and his club.

The I.W.W. though, claimed that there were elements of victory in Paterson. In her masterful analysis of the strike a year later, Gurley Flynn stated the Wobbly position:

What is a labor victory? I maintain that it is a twofold thing. Workers must gain economic advantage, but they must also gain revolutionary spirit, in order to achieve a complete victory. For workers to gain a few cents more a day, a few minutes less a day, and go back to work with the same psychology, the same attitude toward society is to have achieved a temporary gain and not a lasting victory. For workers to go back with a class-conscious spirit, with an organized and a determined attitude toward society means that even if they have made no economic gain they have the possibility of gaining in the future. In other words, a labor victory must be economic and it must be revolutionizing. Otherwise it is not complete. The difference between a strike like Lawrence and a garment worker's strike in New York is that both of them gained certain material advantages, but in Lawrence there has been born such a spirit that even when 10,000 workers were out of employment, the employers did not dare reduce the wages of a single man still in the mills.... So a labor victory must be twofold, but if it can only be one it is better to gain in spirit than to gain economic advantage."

But after the Paterson strike, I.W.W. textile unions declined markedly. The tension between economic gains and gains in spirit was never resolved. Fred Thompson concludes that:

...this decline of the National Industrial Union of Textile Workers came from the difficulty of hitting the right balance between an industrial union program so different from prevailing thought that it s struck most workers as alien, and a program so confined to job unionism that it lacked the spirit and vision necessary to hold workers together, as they had been held in 1908, when jobs disappeared and strikes were out of the picture..

Throughout the years since some of the old battlers and some younger workers who shared their vision have maintained Textile Workers Industrial Union 610 of the I.W.W., mindful of the need for industry-wide bargaining to cope with geographical shifts and persistently low wages even as in the days of Paterson. They may yet provide the union the textile workers need, for their need very plainly has not yet been met.

Note:
Sources include Joyce Kornbluh, **Rebel Voices**; Philip Foner, **History of the Labor Movement in the United States**, Vol. 4; and Fred Thompson, **The IWW: Its First Fifty Years**.

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WHAT ABOUT THE INCOME TAX?

by Tom Murphy

Many people are upset by Gov. Dempsey's new tax program, because the burden of increased taxes will fall most heavily on those least able to pay. Many feel that the State government should be persuaded to adopt a progressive state income tax, so that the tax burden would fall where it belongs—on the rich.

The example which the advocates of the state income tax undoubtedly have in mind is the federal income tax, which at one time taxes income at rates up to 92%.

According to the liberal rhetoric, this "progressive" tax system enforces a "levelling" of income and thus is a step toward the day when all Americans will be equal economically as well as politically. This rhetoric ignores the fact that the wealth and power of an individual is a function of his assets rather than his income; but is it certainly true—in principle—that a steeply progressive income tax would benefit the poor at the expense of the rich. However, there is quite a gap between the picture suggested to the public by a 92% tax on incomes and the hard reality.

Loopholes for the Rich

The progressive tax rates are designed precisely to convey the impression that the rich are taxed more heavily than the poor. But the tax laws contain provisions which are well known to the rich, but about which the poor have only the vaguest notion. These provisions concerning capital gains, municipal bonds, oil depletion allowances, short-term trusts, and so on, enable the rich to reduce their tax liability to such an extent that the notion of a "progressive" tax scale becomes a farce.

These loopholes apply to income from invested capital and not to wages, so that they are of no benefit to the poor. To the rich they are a bonanza. Despite the so-called "progressive" tax rates, the average member of the highest tax brackets pays less than 25% of his income in tax!

When this is coupled with the sharply regressive Social Security tax scale—this tax is *zero* on income in excess of $7800—together with taxes on cigarettes, liquor, etc., it becomes apparent that the wealthy individual pays no more of his income in taxes than does the wage earner. The supposedly progressive tax system serves only to hide from working people the true state of affairs.

The Rich Decide

Why is it that the government refuses to lay the burden of taxation on the rich but only pretends occasionally to do so? The answer to this is not very complicated or difficult to understand. Nobody likes to pay taxes. The people who run the country don't want to pay the taxes themselves. And it is the rich that run the country.

There should be nothing surprising about this. If you own a car, you make the decisions concerning that car; if you own a country, you make the decisions concerning that country. On the other hand, it is not in the interest of the rich to have the people understand the fact that the rich run the country; so they hold "elections" and bombard the populace with democratic verbiage. Nor is it in their interest to have the people understand who it is that ends up paying the taxes; so they come up with theoretically progressive tax rates.

It is certainly possibly in the short run to force the government to shift a bit of the burden of taxation from the poor to the rich. The rich will be willing to pay a little more whenever they feel their position threatened by popular unrest. But the working people will never get true justice—in taxation or in anything else—until they have overthrown the government of the rich and set up one of their own.

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WHAT'S LEFT by John Bancroft

SDS MOVEMENT LEFT NOTE — LET THE PEOPLE DECIDE

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The **NOLA EXPRESS**, published biweekly in New Orleans, is one of the many excellent local underground political newspapers sprouting up around the country. It concentrates heavily on power-structure analysis, but also considers cultural affairs and many other matters. A recent issue contains a series of articles on the media business in Louisiana and how it helps maintain the status quo. Included also is a map of the state police radio system, including call numbers. Also, fans of Jack Minnis will find regular columns here. Subscriptions are $1.50 for 12 issues, $3.00 for 24 issues, from Box 2342, New Orleans, La. 70116.

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WHIGGY
YOUR MOVE!
HMMM..!
HEY LOOK!
HIPPIES!
INTRODUCING THE DOODLEBUGS
NOW JUST A DOGGONE MINUTE, WISE GUYS! JUST BECAUSE WE USE CUSS WORDS IN PUBLIC & DON'T WORK 9-5 DOESN'T MEAN WE'RE HIPPIES!!
YEAH!
WHAT ARE YOU THEN?
WE'RE HARD-WORKING COMIC STRIPACTORS!
AND NOT ONLY THAT—WE'RE UNION!
UNION!?
-CRAWFORD-4/69-
AND WE'RE NOT ONE OF THOSE WISHY-WASHY ORGANIZATIONS THAT SELL OUT TO MANAGEMENT EITHER! NOSSIR!!
THIS IS ONE UNION THAT KNOWS WHERE IT'S AT! SOLIDARITY AMONG ALL WORKING PEOPLE!!
AN INJURY TO ONE IS AN INJURY TO ALL! OUR BUG, BUGS!
HOLY SMOKES! THE WOBBLIES!!
OUR UNION STINKS! CAN WE JOIN YOURS?
ALWAYS ROOM FOR MORE!!
CLIMB ABOARD!!
NO MORE WAGE SLAVERY FOR THIS BUG!
THIS ONE NEITHER YOU BET!

HARD TIMES (formerly **MAYDAY**), published weekly in Washington, D.C., is a national muckraking and analysis magazine in the style of I.F. Stone's Weekly. It is edited by Andrew Kopkind, James Ridgeway, and Robert Sherrill, all of whom have previously done similar work for liberal and movement publications. The best way to describe what the magazine is like is to list some of the topics they have covered: Nixon's appointments, military revolts, the U.S. Ambassador to England and his connections, Tom Hayden's testimony to HUAC, and the coming suppression of the movement. For the hard facts of how the system works in Washington, and who's getting paid off for what, **HARD TIMES** is hard to beat. Subscriptions are $7.50 for one year, $6.00 for students, from 80 Irving Place, New York, N.Y. 10003.

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